IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO. 2617 OF 2000

IN

PETITION NO. 323 OF 2000

WITH

NOTICE OF MOTION NO. 495 OF 2001

WITH

NOTICE OF MOTION NO. 674 OF 2001

WITH

NOTICE OF MOTION NO. 2912 OF 2001

WITH

NOTICE OF MOTION NO. 986 OF 2002

WITH

CHAMBER SUMMONS NO. 753 OF 2002

Homyar J. Master .. Petitioner.

vs.

Zarine R. Mistry

& Ors. .. Respondents.

Ms. S. Singh for petitioner.

Ms. M. Shah with Sagar Kadam i/by Mohdbhai & Co. for respondent.

CORAM : S.U.KAMDAR,J.

DATE : 15TH JULY, 2005.

P.C.

. Parties and their advocates have filed terms of reference seeking to refer the dispute in the present proceedings to the arbitrator for the purpose of resolving the various disputes between the parties and for disbursement of the properties in accordance with the Will already probated and for the determination of the rights of the parties under the said probated Will being Probate Petition No. 813 of 1981. Under the aforesaid terms in so far as Suit No. 96 of 2000 is concerned the caveators have given up the challenge and therefore the office is directed to issue the probate in accordance with the said Will dated 24.2.1984. All the proceedings accordingly are disposed of in terms of the said terms of reference dated 15.7.2005, which are taken on record and marked "X" for identification. However, there shall be no order as to costs.